



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/809,729

03/25/2004

Neville A. Black

CCCI 0106 PUS

8157

50764

7590

03/21/2008

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER

TAYLOR, JOSHUA D

ART UNIT

PAPER NUMBER

4157

MAIL DATE

DELIVERY MODE

03/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/809,729	Applicant(s) BLACK, NEVILLE A.	
	Examiner JOSHUA TAYLOR	Art Unit 4157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/25/2004, 4/13/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-4, 6-11, 16-19, 21-26, 31-34, 36-41 rejected under 35 U.S.C. 103(a) as being unpatentable over Babu et al. (Pub. No.: US 2003/0229898) in view of Javed (Pub. No.: US 2001/0036271).

Regarding claim 1, **a video-on-demand system for use with personal computers connected to the Internet** (Javed, Fig. 1), **the system comprising: a cable television network** (Babu, Fig. 1, paragraph [0028], lines 2-7, paragraph [0029], lines 1-2); **content provider Internet websites which list videos available for delivery from third party content providers to subscribers of a cable television service provider** (Babu, Fig. 1, paragraph [0015], lines 1-5, paragraph [0017], lines 4-7), **wherein the subscribers use the personal computers to select videos from the content provider websites for delivery to the subscribers** (Javed, Fig. 1-2, paragraph [0050], lines 1-5); **and televisions associated with the subscribers and connected to the cable television service provider via the cable television network** (Babu, Fig. 1, paragraph [0028], lines 2-7); **wherein the content providers and the cable television service provider are in communication with one another in order for the cable television service provider to**

Art Unit: 2626

receive the selected videos from the content providers (Babu, Fig. 1-2, paragraph [0040], lines 6-9); **wherein the cable television service provider delivers the selected videos to the televisions via the cable television network for the subscribers to view on the televisions** (Babu, Fig. 1, paragraph [0029], lines 1-9). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users this option so as to increase the ease with which videos could be ordered.

Regarding claim 2: **The system of claim 1 wherein: the cable television service provider delivers the selected videos by streaming the selected videos to the televisions via the cable television network immediately after the subscribers have selected the videos** (Babu, paragraph [0060], lines 1-2, paragraph [0062], lines 1-4). By mentioning the additional feature of VCR commands in paragraph [0062], Babu makes it clear that viewing the movie as in paragraph [0060] is in a regular viewing mode, which is thus inherently streaming.

Regarding claim 3: **The system of claim 1 wherein: the cable television service provider stores the selected videos on a video server for subsequent delivery from the video server to**

Art Unit: 2626

the televisions via the cable television network (Javed, Fig. 2, paragraph [0084], lines 13-23).

Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose having the cable television service provider store the video content on a video server. Javed discloses that the storage device 214 in Fig. 2 need not be fixed, but may be on a server at the user's Internet service provider. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to store the videos at the cable television service provider. Javed uses a system comprising internet connections, and thus suggests storing the videos on the Internet service provider, so it would be highly desirable when using a cable system, as in Babu, to store the videos at the cable provider.

Regarding claim 4: **The system of claim 1 wherein: the cable television service provider delivers the selected videos to video recorders associated with the televisions via the cable television network for the subscribers to subsequently view on the televisions** (Babu, Fig. 7, paragraph [0015], lines 1-5, paragraphs [0061], [0134]).

Regarding claim 6: **The system of claim 1 wherein: the subscribers use the personal computers to browse categories listed in the content provider websites in order to select videos from the content provider websites for delivery to the subscribers** (Javed, Fig. 9, paragraph [0077], lines 4-9). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network

which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users the option of browsing websites in order to select videos.

Regarding claim 7: **The system of claim 1 wherein: the subscribers provide identification to the content providers when selecting videos from the content providers; wherein the content providers provide the identification along with the selected videos to the cable television service provider; wherein the cable television service provider uses the identification in order to deliver the selected videos to the televisions via the cable television network** (Babu, Fig. 1 and 10, paragraph [0174], lines 1-10).

Regarding claim 8: **The system of claim 1 wherein: the content providers provide descriptive information identifying the selected videos along with the selected videos to the cable television service provider for use by the cable television service provider** (Babu, Fig. 1, paragraph [0018], lines 1-8).

Art Unit: 2626

Regarding claim 9: **The system of claim 1 wherein: the cable television service provider bills the subscribers for the selected videos on behalf of the content providers** (Babu, Fig. 1, paragraph [0026], lines 1-7).

Regarding claim 10: **The system of claim 1 wherein: the subscribers have subscriptions with the cable television service provider to select videos from the content provider websites for delivery to the subscribers, wherein the cable television service provider bills the subscribers for the subscriptions** (Babu, paragraphs [0022]-[0024]).

Regarding claim 11: **The system of claim 1 wherein: the personal computers and the televisions are remote from one another and are in indirect communication with one another via the Internet and the cable television network** (Javed, Fig. 1). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users this option so as to increase the ease with which videos could be ordered.

Art Unit: 2626

Regarding claim 16: **A video-on-demand system for use with a personal computer connected to the Internet** (Javed, Fig. 1), **the system comprising: a cable television network** (Babu, Fig. 1, paragraph [0028], lines 2-7, paragraph [0029], lines 1-2); **a content provider Internet website, wherein the content provider website lists videos available for delivery from a third party content provider to a subscriber of a cable television service provider** (Babu, Fig. 1, paragraph [0015], lines 1-5, paragraph [0017], lines 4-7), **wherein the subscriber uses the personal computer to select a video from the content provider website for delivery to the subscriber** (Javed, Fig. 1-2, paragraph [0050], lines 1-5); **and a television associated with the subscriber and connected to the cable television service provider via the cable television network** (Babu, Fig. 1, paragraph [0028], lines 2-7); **wherein the content provider and the cable television service provider are in communication with one another in order for the cable television service provider to receive the selected video from the content provider** (Babu, Fig. 1-2, paragraph [0040], lines 6-9); **wherein the cable television service provider delivers the selected video to the television via the cable television network for the subscriber to view on the television** (Babu, Fig. 1, paragraph [0029], lines 1-9). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and

Art Unit: 2626

therefore it would have been desirable to allow users this option so as to increase the ease with which videos could be ordered.

Regarding claim 17: **The system of claim 16 wherein: the cable television service provider delivers the selected video by streaming the selected video to the television via the cable television network immediately after the subscriber has selected the video** (Babu, paragraph [0060], lines 1-2, paragraph [0062], lines 1-4). By mentioning the additional feature of VCR commands in paragraph [0062], Babu makes it clear that viewing the movie as in paragraph [0060] is in a regular viewing mode, which is thus inherently streaming.

Regarding claim 18: **The system of claim 16 wherein: the cable television service provider stores the selected video on a video server for subsequent delivery from the video server to the television via the cable television network** (Javed, Fig. 2, paragraph [0084], lines 13-23). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose having the cable television service provider store the video content on a video server. Javed discloses that the storage device 214 in Fig. 2 need not be fixed, but may be on a server at the user's Internet service provider. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to store the videos at the cable television service provider. Javed uses a system comprising internet connections, and

Art Unit: 2626

thus suggests storing the videos on the Internet service provider, so it would be highly desirable when using a cable system, as in Babu, to store the videos at the cable provider.

Regarding claim 19: **The system of claim 16 wherein: the cable television service provider delivers the selected video to a video recorder associated with the television via the cable television network for the subscriber to subsequently view on the television** (Babu, Fig. 7, paragraph [0015], lines 1-5, paragraphs [0061], [0134]).

Regarding claim 21: **The system of claim 16 wherein: the subscriber uses the personal computer to browse categories listed in the content provider website in order to select a video from the content provider website for delivery to the subscriber** (Javed, Fig. 9, paragraph [0077], lines 4-9). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users the option of browsing websites in order to select videos.

Art Unit: 2626

Regarding claim 22: **The system of claim 16 wherein: the content provider provides an identification identifying the subscriber along with the selected video to the cable television service provider; wherein the cable television service provider uses the identification in order to deliver the selected video to the television via the cable television network** (Babu, Fig. 1 and 10, paragraph [0174], lines 1-10).

Regarding claim 23: **The system of claim 16 wherein: the content provider provides descriptive information identifying the selected video along with the selected video to the cable television service provider for use by the cable television service provider** (Babu, Fig. 1, paragraph [0018], lines 1-8).

Regarding claim 24: **The system of claim 16 wherein: the cable television service provider bills the subscriber for the selected video on behalf of the content provider** (Babu, Fig. 1, paragraph [0026], lines 1-7).

Regarding claim 25: **The system of claim 16 wherein: the subscriber has a subscription with the cable television service provider to select videos from the content provider website for delivery to the subscriber, wherein the cable television service provider bills the subscriber for the subscription**(Babu, paragraphs [0022]-[0024]).

Art Unit: 2626

Regarding claim 26: **The system of claim 16 wherein: the personal computer and the television are remote from one another and are in indirect communication with one another via the Internet and the cable television network** (Javed, Fig. 1). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users this option so as to increase the ease with which videos could be ordered.

Regarding claim 31: **A video-on-demand method for use with a personal computer connected to the Internet** (Javed, Fig. 1), **and for use with a television associated with a subscriber of a cable television service provider and connected to a cable television service provider via a cable television network** (Babu, Fig. 1, paragraph [0028], lines 2-7, paragraph [0029], lines 1-2), **the method comprising: providing a content provider Internet website listing videos available for delivery from a third party content provider to a subscriber of the cable television service provider** (Babu, Fig. 1, paragraph [0015], lines 1-5, paragraph [0017], lines 4-7); **the subscriber using the personal computer to select a video from the content provider website for delivery to the subscriber** (Javed, Fig. 1-2, paragraph [0050], lines 1-5); **communicating the selected video from the content provider to the cable**

Art Unit: 2626

television service provider(Babu, Fig. 1-2, paragraph [0040], lines 6-9); **and delivering the selected video from the cable television service provider to the television via the cable television network for the subscriber to view on the television**(Babu, Fig. 1, paragraph [0029], lines 1-9). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users this option so as to increase the ease with which videos could be ordered.

Regarding claim 32: **The method of claim 31 wherein: delivering the selected video includes streaming the selected video from the cable television service provider to the television via the cable television network immediately after the subscriber has selected the video** (Babu, paragraph [0060], lines 1-2, paragraph [0062], lines 1-4). By mentioning the additional feature of VCR commands in paragraph [0062], Babu makes it clear that viewing the movie as in paragraph [0060] is in a regular viewing mode, which is thus inherently streaming.

Regarding claim 33: **The method of claim 31 further comprising: storing the selected video on a video server of the cable television service provider for subsequent delivery; wherein**

delivering the selected video includes subsequently delivering the selected video from the video server to the television via the cable television network (Javed, Fig. 2, paragraph [0084], lines 13-23). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose having the cable television service provider store the video content on a video server. Javed discloses that the storage device 214 in Fig. 2 need not be fixed, but may be on a server at the user's Internet service provider. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to store the videos at the cable television service provider. Javed uses a system comprising internet connections, and thus suggests storing the videos on the Internet service provider, so it would be highly desirable when using a cable system, as in Babu, to store the videos at the cable provider.

Regarding claim 34: **The method of claim 31 wherein: delivering the selected video includes delivering the selected video to a video recorder associated with the television via the cable television network for the subscriber to subsequently view on the television** (Babu, Fig. 7, paragraph [0015], lines 1-5, paragraphs [0061], [0134]).

Regarding claim 36: **The method of claim 31 wherein: the subscriber using the personal computer includes the subscriber using the personal computer to browse categories listed in the content provider website in order to select videos from the content provider website for delivery to the subscriber** (Javed, Fig. 9, paragraph [0077], lines 4-9). Babu discloses a

Art Unit: 2626

video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users the option of browsing websites in order to select videos.

Regarding claim 37: **The method of claim 31 wherein: communicating the selected video from the content provider to the cable television service provider includes communicating an identification identifying the subscriber along with the selected video from the content provider to the cable television service provider; wherein delivering the selected video includes using the identification in order to deliver the selected video to the television via the cable television network** (Babu, Fig. 1 and 10, paragraph [0174], lines 1-10).

Regarding claim 38: **The method of claim 31 wherein: the content provider provides descriptive information identifying the selected video along with the selected video to the cable television service provider for use by the cable television service provider** (Babu, Fig. 1, paragraph [0018], lines 1-8).

Regarding claim 39: **The method of claim 31 further comprising: the cable television service provider billing the subscriber for the selected video on behalf of the content provider**

(Babu, Fig. 1, paragraph [0026], lines 1-7).

Regarding claim 40: **The method of claim 31 further comprising: the subscriber obtaining a subscription with the cable television service provider to select videos from the content provider website for delivery to the subscriber; and the cable television service provider billing the subscriber for the subscription** (Babu, paragraphs [0022]-[0024]).

Regarding claim 41: **The method of claim 31 wherein: the personal computer and the television are remote from one another and are in indirect communication with one another via the Internet and the cable television network** (Javed, Fig. 1). Babu discloses a video-on-demand system where video content is ordered from one of many online providers and then delivered to the subscriber via a network which can include a cable network. However, Babu does not disclose using a personal computer to select the online videos. Javed discloses using a personal computer for ordering videos over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a personal computer to order the videos. Using a personal computer makes it easier to navigate online content, and therefore it would have been desirable to allow users this option so as to increase the ease with which videos could be ordered.

Claims 5, 20, and 35 rejected under 35 U.S.C. 103(a) as being unpatentable over Babu et al. (Pub. No.: US 2003/0229898) in view of Javed (Pub. No.: US 2001/0036271) and further in view of McGee III et al. (Pub. No.: US 2002/0104088).

Regarding claim 5: **The system of claim 1 wherein: the subscribers perform key word searches using the personal computers in order to select videos from the content provider websites for delivery to the subscribers** (McGee III, paragraphs [0025] and [0028]. Babu and Javed disclose the system of claim 1, however, they do not explicitly disclose performing a key word search in order to select videos from the content provider websites. McGee discloses that key word searches may be used to help internet users search for content on a web site. Therefore, it would have been obvious to one skilled in the art at the time of the invention to include key word searches when browsing for videos on line. Key word searches can reduce the time it takes a viewer to find the content they are looking for, and therefore are highly desirable.

Regarding claim 20: **The system of claim 16 wherein: the subscriber performs a key word search using the personal computer in order to select a video from the content provider website for delivery to the subscriber** (McGee III, paragraphs [0025] and [0028]. Babu and Javed disclose the system of claim 16, however, they do not explicitly disclose performing a key word search in order to select videos from the content provider websites. McGee discloses that key word searches may be used to help internet users search for content on a web site. Therefore,

it would have been obvious to one skilled in the art at the time of the invention to include key word searches when browsing for videos on line. Key word searches can reduce the time it takes a viewer to find the content they are looking for, and therefore are highly desirable.

Regarding claim 35: **The method of claim 31 wherein: the subscriber using the personal computer includes the subscriber performing a key word search using the personal computer in order to select a video from the content provider website for delivery to the subscriber** (McGee III, paragraphs [0025] and [0028]). Babu and Javed disclose the system of claim 31, however, they do not explicitly disclose performing a key word search in order to select videos from the content provider websites. McGee discloses that key word searches may be used to help internet users search for content on a web site. Therefore, it would have been obvious to one skilled in the art at the time of the invention to include key word searches when browsing for videos on line. Key word searches can reduce the time it takes a viewer to find the content they are looking for, and therefore are highly desirable.

Claims 12-15, 27-30, and 42-55 rejected under 35 U.S.C. 103(a) as being unpatentable over Babu et al. (Pub. No.: US 2003/0229898) in view of Javed (Pub. No.: US 2001/0036271) and further in view of McGee III et al. {Pub. No.: US 2002/0104088) and Igarashi (Pub. No.: US 2003/0004940).

Regarding claim 12, **the system of claim 1 further comprising: a cable television service provider Internet website (Javed, Fig. 1), wherein the subscribers use the personal computers to register video interest profiles on the cable television service provider website (McGee III, paragraphs [0013] and [0027]); wherein the content providers communicate information to the cable television service provider regarding videos available for delivery from the content providers to the subscribers (Babu, Fig. 1-2, paragraph [0040], lines 6-9); wherein the cable television service provider compares the information regarding the available videos with the video interest profiles (Igarashi, paragraph [0043], lines 1-8); wherein the cable television service provider sends emails to the subscribers containing information regarding the available videos which correspond to the video interest profiles (Igarashi, paragraph [0046], lines 1-4).** Babu and Javed disclose the system of claim 1, however, they do not disclose sending emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 13: **The system of claim 12 wherein: the subscribers use the personal computers to transmit delivery requests to the content providers via the Internet (Javed,**

Fig. 2, paragraph [0050], lines 1-5) **for videos identified in the emails** (Igarashi, paragraph [0046], lines 1-4); **wherein in response to the requests, the cable television service provider receives the requested videos from the content providers and then delivers the requested videos to the televisions via the cable television network for the subscribers to view on the televisions** (Babu, Fig. 1-2, paragraph [0040], lines 6-9). The system of claim 12 is rejected above, however, it does not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 14: **The system of claim 1 wherein: the subscribers use the personal computers to register video interest profiles on the content provider websites** (McGee III, paragraphs [0013] and [0027]); **wherein the content providers sends emails to the subscribers regarding videos which correspond to the video interest profiles and which are available for delivery from the content providers to the subscribers** (Igarashi, paragraph [0046], lines 1-4). Babu and Javed disclose the system of claim 1, however, they do not disclose sending

Art Unit: 2626

emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 15: **The system of claim 14 wherein: the subscribers use the personal computers to transmit delivery requests to the content providers via the Internet** (Javed, Fig. 1-2, paragraph [0050], lines 1-5) **for videos identified in the emails** (Igarashi, paragraph [0046], lines 1-4); **wherein in response to the requests, the cable television service provider receives the requested videos from the content providers and then delivers the requested videos to the televisions via the cable television network for the subscribers to view on the televisions** (Babu, Fig. 1-2, paragraph [0040], lines 6-9). The system of claim 14 is rejected above, however, it does not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search

Art Unit: 2626

results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 27: **The system of claim 16 further comprising: a cable television service provider Internet website (Javed, Fig. 1), wherein the subscriber uses the personal computer to register a video interest profile on the cable television service provider website (McGee III, paragraphs [0013] and [0027]); wherein the content provider communicates information to the cable television service provider regarding videos available for delivery from the content providers to the subscriber (Babu, Fig. 1-2, paragraph [0040], lines 6-9); wherein the cable television service provider compares the information regarding the available videos with the video interest profile (Igarashi, paragraph [0043], lines 1-8); wherein the cable television service provider sends an email to the subscriber containing information regarding the available videos which correspond to the video interest profile (Igarashi, paragraph [0046], lines 1-4).** Babu and Javed disclose the system of claim 16, however, they do not disclose sending emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be

Art Unit: 2626

updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 28: **The system of claim 27 wherein: the subscriber uses the personal computer to transmit a delivery request to the content provider via the Internet** (Javed, Fig. 2, paragraph [0050], lines 1-5) **for a video identified in the email** (Igarashi, paragraph [0046], lines 1-4); **wherein in response to the request, the cable television service provider receives the requested video from the content provider and then delivers the requested video to the television via the cable television network for the subscriber to view on the television** (Babu, Fig. 1-2, paragraph [0040], lines 6-9). The system of claim 27 is rejected above, however, it does not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 29: **The system of claim 16 wherein: the subscriber uses the personal computer to register a video interest profile on the content provider website (McGee III, paragraphs [0013] and [0027]); wherein the content provider sends an email to the subscriber via the Internet regarding videos which correspond to the video interest profile and which are available for delivery from the content provider to the subscriber (Igarashi, paragraph [0046], lines 1-4).** Babu and Javed disclose the system of claim 16, however, they do not disclose sending emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 30: **The system of claim 29 wherein: the subscriber uses the personal computer to transmit a delivery request to the content provider via the Internet (Javed, Fig. 1-2, paragraph [0050], lines 1-5) for a video identified in the email (Igarashi, paragraph [0046], lines 1-4); wherein in response to the request, the cable television service provider receives the requested video from the content provider and then delivers the requested video to the television via the cable television network for the subscriber to view on the television (Babu, Fig. 1-2, paragraph [0040], lines 6-9).** The system of claim 29 is rejected above, however, it does

not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 42: **The method of claim 31 further comprising: providing a cable television service provider Internet website (Javed, Fig. 1); the subscriber using the personal computer to register a video interest profile on the cable television service provider website (McGee III, paragraphs [0013] and [0027]); comparing information regarding videos available for delivery from the content provider to the subscriber with the video interest profile (Babu, Fig. 1-2, paragraph [0040], lines 6-9); and transferring an email to the personal computer containing information regarding the videos which correspond to the video interest profile and which are available for delivery from the content provider to the subscriber (Igarashi, paragraph [0046], lines 1-4).** Babu and Javed disclose the system of claim 31, however, they do not disclose sending emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers

may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 43: **The method of claim 42 further comprising: the subscriber using the personal computer to transmit a delivery request to the content provider via the Internet** (Javed, Fig. 2, paragraph [0050], lines 1-5) **for a video identified in the email** (Igarashi, paragraph [0046], lines 1-4); **in response to the request, communicating the requested video from the content provider to the cable television service provider, and then delivering the requested video from the cable television service provider to the television via the cable television network for the subscriber to view on the television** (Babu, Fig. 1-2, paragraph [0040], lines 6-9). The system of claim 42 is rejected above, however, it does not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for

customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 44: **The method of claim 31 further comprising: the subscriber using the personal computer to register a video interest profile on the content provider website** (McGee III, paragraphs [0013] and [0027]); **sending an email to the subscriber regarding videos which correspond to the video interest profile and which are available for delivery from the content provider to the subscriber** (Igarashi, paragraph [0046], lines 1-4). Babu and Javed disclose the system of claim 31, however, they do not disclose sending emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 45: **The method of claim 44 further comprising: the subscriber using the personal computer to transmit a delivery request to the content provider via the Internet** (Javed, Fig. 1-2, paragraph [0050], lines 1-5) **for a video identified in the email** (Igarashi,

Art Unit: 2626

paragraph [0046], lines 1-4); **in response to the request, communicating the requested video from the content provider to the cable television service provider, and then delivering the requested video from the cable television service provider to the television via the cable television network for the subscriber to view on the television** (Babu, Fig. 1-2, paragraph [0040], lines 6-9). The system of claim 44 is rejected above, however, it does not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 46: **A video-on-demand system for use with a personal computer connected to the Internet** (Javed, Fig. 1), **the system comprising: a cable television service provider having a cable television network connected to a television of a subscriber** (Babu, Fig. 1, paragraph [0028], lines 2-7, paragraph [0029], lines 1-2); **an Internet website, wherein the subscriber uses the personal computer to register a video interest profile on the website** (McGee III, paragraphs [0013] and [0027]); **and a third party content provider which provides information regarding videos available for delivery from the content provider to**

the television of the subscriber via the cable television network (Babu, Fig. 1-2, paragraph [0040], lines 6-9); **wherein at least one of the cable television service provider and the content provider compares the information regarding the available videos with the video interest profile and then sends an email to the subscriber via the Internet** (Igarashi, paragraph [0046], lines 1-4), **the email containing information regarding the available videos which correspond to the video interest profile** (McGee III, paragraphs [0013] and [0027]).

Babu and Javed disclose the on demand video system using both cable television and internet, as described in claim 1, however, they do not disclose sending emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 47: **The system of claim 46 wherein: the subscriber uses the personal computer to transmit a delivery request to at least one of the cable television service provider and the content provider via the Internet** (Javed, Fig. 2, paragraph [0050], lines 1-5) **for a video identified in the email** (Igarashi, paragraph [0046], lines 1-4); **wherein in response to the request, the cable television service provider receives the requested video from the content provider and then delivers the requested video to the television via the cable**

Art Unit: 2626

television network for the subscriber to view on the television (Babu, Fig. 1-2, paragraph [0040], lines 6-9). The system of claim 46 is rejected above, however, it does not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 48: **The system of claim 46 wherein: the website is the Internet website of the content provider.** This claim is rejected under the same reasons as claim 47, as the prior art covers any web site, and thus it obviously could be the web site of the content provider.

Regarding claim 49: **The system of claim 46 wherein: the website is the Internet website of the cable television service provider.** This claim is rejected under the same reasons as claim 47, as the prior art covers any web site, and thus it obviously could be the web site of the cable television service provider.

Regarding claim 50: **The system of claim 46 further comprising: the website lists videos available for delivery from the content provider to the subscriber** (Babu, Fig. 1, paragraph [0015], lines 1-5, paragraph [0017], lines 4-7), **wherein the subscriber uses the personal computer to select a video from the for delivery from the content provider to the subscriber** (Javed, Fig. 1-2, paragraph [0050], lines 1-5); **and wherein in response to the request, the cable television service provider receives the selected video from the content provider** (Babu, Fig. 1-2, paragraph [0040], lines 6-9) **and then delivers the selected video to the television via the cable television network for the subscriber to view on the television** (Babu, Fig. 1, paragraph [0029], lines 1-9). This claim is rejected under the same grounds as claim 46.

Regarding claim 51: **A video-on-demand method for use with a personal computer connected to the Internet** (Javed, Fig. 1) **and for use with a cable television service provider having a cable television network connected to a television of a subscriber** (Babu, Fig. 1, paragraph [0029], lines 1-9), **the method comprising: providing an Internet website; the subscriber using the personal computer to register a video interest profile on the website** (McGee III, paragraphs [0013] and [0027]); **providing information regarding videos available for delivery from a content provider to the television of the subscriber via the cable television network** (Babu, Fig. 1, paragraph [0015], lines 1-5, paragraph [0017], lines 4-7); **comparing information regarding the available videos with the video interest profile** (McGee III, paragraphs [0013] and [0027]); **and sending an email to the subscriber via the Internet, the email containing information regarding the videos which correspond to the video interest profile** (Igarashi, paragraph [0046], lines 1-4). Babu and Javed disclose the on

Art Unit: 2626

demand video system using both cable television and internet, as described in claim 1, however, they do not disclose sending emails to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 52: **The system of claim 51 further comprising: the subscriber using the personal computer to transmit a delivery request to at least one of the cable television service provider and the content provider (Javed, Fig. 1-2, paragraph [0050], lines 1-5) via the Internet for a video identified in the email (Igarashi, paragraph [0046], lines 1-4); in response to the request, transferring the requested video from the content provider to the cable television service provider, and then delivering the requested video to the television via the cable television network for the subscriber to view on the television (Babu, Fig. 1-2, paragraph [0040], lines 6-9).** The system of claim 52 is rejected above, however, it does not disclose the customer responding to emails that were sent to customers in response to matches found after performing a search based on customer preferences. McGee discloses that customers may have a personal profile that reflects the customer's preferences, and Igarashi discloses that emails may be sent to customers based on search results in order to inform the customer of these

results. Therefore, it would have been obvious to one skilled in the art at the time of the invention to an email notification of search results to customers, and that customers would respond to these emails were they interested in any of the suggested videos. It would be highly desirable for customers to be updated as to new videos that match their preferences, as there is a greater chance that the customer would like the video, and therefore be willing to purchase it.

Regarding claim 53: **The method of claim 52 wherein: the website is the Internet website of the content provider.** This claim is rejected under the same reasons as claim 47, as the prior art covers any web site, and thus it obviously could be the web site of the content provider.

Regarding claim 54: **The method of claim 52 wherein: the website is the Internet website of the cable television service provider.** This claim is rejected under the same reasons as claim 47, as the prior art covers any web site, and thus it obviously could be the web site of the cable television service provider.

Regarding claim 55: **The system of claim 52 further comprising: listing videos available for delivery from the content provider to the subscriber on the website (Babu, Fig. 1, paragraph [0015], lines 1-5, paragraph [0017], lines 4-7); the subscriber using the personal computer to select a video from the content provider website for delivery from the content provider to the subscriber (Javed, Fig. 1-2, paragraph [0050], lines 1-5); communicating the selected**

Art Unit: 2626

video from the content provider to the cable television service provider (Babu, Fig. 1-2, paragraph [0040], lines 6-9); **and delivering the selected video to the television via the cable television network for the subscriber to view on the television** (Babu, Fig. 1, paragraph [0029], lines 1-9). This claim is rejected under the same grounds as claim 52.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSHUA TAYLOR whose telephone number is (571)270-3755. The examiner can normally be reached on 8am-5pm, M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Josh Taylor/

/ABUL K. AZAD/

Primary Examiner, Art Unit 2626